

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS'
CONCUSSION INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:

TYRONE AND APRIL CARTER, PLAINTIFFS

PETITION TO ESTABLISH ATTORNEYS' LIEN

NOW COMES Petitioner Wendy R. Fleishman, Esquire, for Lieff Cabraser Heimann & Bernstein, LLP ("LCHB") pursuant to an executed retainer agreement, and states:

1. Petitioner is an attorney at law admitted to practice before the Courts of the Commonwealth of Pennsylvania, and this District Court, and files this Petition to establish a lien for attorneys' fees and expenses as forth hereinafter.

2. Petitioner was retained by the Class Members Tyrone and April Carter (the "Clients" or the "Plaintiffs") pursuant to a contingency fee agreement to pursue a claim for injuries and damages against the National Football League (the "NFL"), and any other entities who are or may be legally liable or responsible, in whole or in part, for head and brain injuries sustained by Tyron Carter while playing professional football in the NFL.

3. When Petitioner entered into contract with the Plaintiffs, Petitioner entered into the risk and expense of the litigation before any settlement discussions had been held.

4. On or about January 18, 2023, after arranging both neurological and neuropsychological testing for Mr. Carter and arranging for transportation and accommodations,

Petitioner received an email from that the Claims Administrator that Plaintiffs are represented by a different lawyer in this matter.

5. The Petitioner was not terminated by the Plaintiffs for cause nor due to any malfeasance or other improper action on the part of the Petitioner.

WHEREFORE, the Petitioner prays:

1. An Attorneys' lien be determined based upon the time for professional fees incurred and reimbursement of expenses advanced on behalf of Plaintiffs in the amount \$323,129.40;

2. The lodestar for work performed is \$301,250.00;

3. Miscellaneous expenses including printing, telephone, fax, experts and Federal Express in the amount of \$21,879.40. The cost breakdown is attached as Exhibit A.

4. The Court order that Petitioner be entitled to enforce an attorneys' lien against the proceeds to be derived from any settlement or judgment in this action;

5. The Claims Administrator be prohibited from paying to the Plaintiffs any sums of money until this attorneys' lien has been satisfied; and

6. For such other further relief as this Court deems just and proper.

Dated: February 7, 2023

Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/ Wendy R. Fleishman

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CERTIFICATE OF SERVICE

I CERTIFY that the above has been filed with the Clerk of Court's EF/ECM system, which will provide service to all parties designated to receive service this February 7, 2023.

/s/ Wendy R. Fleishman

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